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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/511,444

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EXAMINER

FERGUSON, MARISSA L

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/511,444

Applicant(s)

RIEDEL, UWE JOHANN

Examiner

Marissa L. Ferguson-Samreth

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 31-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 31-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/26/04</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the four printing groups in claim 35 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

2. Claims 34 and 35 are objected to because of the following informalities: the claim recites a cylinder, however the applicant claims other limitations outside of the cylinder. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 31-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 31, it is not clear as to how the cylinder bends as a function of at least one image element. Also, there does not appear to be any structure that supports the limitation.

***Claim Rejections - 35 USC § 102***

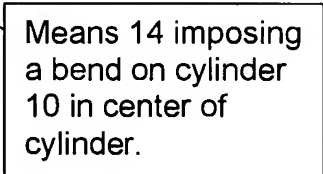
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 31, 32, 36-38 and 43 are rejected under 35 U.S.C. 102(b) as being anticipated by Niskanen et al. (US Patent 4, 856,155).

FIG. 1



Regarding claims 36 and 37, Nisakenen et al. teaches wherein a cylinder is a counter-pressure cylinder (20) and further including a forme cylinder (10) cooperating with the counter-pressure cylinder to provide a printing position for the web of material (W) and a second print position (please note that as the adjustment means bends the cylinder the web is moved to a second print position).

Regarding claim 38, Niskanen et al. teaches a means (14) to set a bend on a cylinder.

Regarding claim 43, Niskanen et al. teaches wherein the bend (refer to figure 1 on page 4) is perpendicular to the web travel direction (W).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niskanen et al. (US Patent 4, 856,155) in view of Stiel (US Patent 6,786,151).

Niskanen et al. teaches the claimed invention with the exception of wherein the web of material includes several image elements arranged in the cylinder axial direction, at least first and second printing groups imprinting at least first and second ones of the image areas and further including at least four different printing groups supporting four image elements. Stiel teaches wherein a web is imprinted with image elements and wherein at least four printing groups imprint and support image areas on a web (Column 3, Lines 57-67, column 4, Lines 1,2 and please note any number of image areas made by the cylinders can be considered to be image areas on the web).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to f modify the invention as taught by Niskanen et al. to include several printing groups as taught by Stiel, since Stiel teaches that it is

advantageous to provide a stable structure that effectively and properly imprints on the web.

6. Claims 39 , 40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niskanen et al. (US Patent 4, 856,155) in view of Maier et al (US Patent 4,438,695).

Regarding claim 39 and 42, Niskanen et al. teaches the claimed invention with the exception of a shaft center section supporting the cylinder at first and second ends, a center further including at least a first actuating member adapted to shift the shaft first and second end sections with respect to the shaft center section in a direction perpendicular to the shaft and wherein at least one of the actuating members is arranged on the shaft end outside of the cylinder.

Maier et al. teaches a shaft center section (11) supporting the cylinder at the first and second ends (16), a center further including at least a first actuating member (17) adapted to shift the shaft first and second end sections with respect to the shaft center section in a direction perpendicular to the shaft (Column 4, Lines 38-68 and column 5, Lines 1-5) and wherein at least one of the actuating members (17) is arranged on one of the shaft end sections outside of the cylinder (Figures 3 and 4).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Niskanen et al. to include a center section supporting the cylinder and an actuating member located on the shaft end as taught by Maier, since Maier teaches that it is advantageous to

properly hold the cylinder in a stable and sturdy relationship while bending takes place on the cylinder

Regarding claim 40, Niskanen et al. teaches a plurality of actuating members (14) and wherein the actuating members shift the shaft end sections (13a, 13b) in first and second directions (Figure 1).

7. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nisakanen et al. (US 4, 856,155) in view of Maier et al. (US Patent 4, 438,695) as applied to claim 40 above, and further in view of Tschirner (US Patent 4,455, 727).

Nisakanen et al. and Maier et al. both teach the claimed invention with the exception of wherein the first and second directions constitute a right angle. Tschirner teaches pressure chambers with cushions that inflate at angle of 90° or a right angle (Column 4, Lines 60-63). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Nisakenen et al. in view of Maier et al. to replace the directions of the actuating members with members that actuate at 90° as taught by Tschirner, since Tschirner teaches that it is advantageous to a structure that can easily conform to the to the counter-pressure roll, while forming a constant uniform gap.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



- a. Depuy (US Patent 3,838,480) teaches axle or roll with adjustment means for providing a curvature on the roll.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L. Ferguson-Samreth whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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